



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

999 18TH STREET- SUITE 300

DENVER, CO 80202-2466

Phone 800-227-8917

<http://www.epa.gov/region08>

2005 NOV 15 AM 10:36

FILED
EPA REGION VIII
HEARING CLERK

DOCKET NO.: SDWA-08-2005-0050

IN THE MATTER OF:

SANDY CROSSING ENTERPRISES, INC.
AND MANI GREWAL

RESPONDENTS

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FINAL ORDER

Pursuant to 40 C.F.R. §22.18, of EPA's Consolidated Rules of Practice, the Consent Agreement resolving this matter is hereby approved and incorporated by reference into this Final Order. The Respondents are hereby **ORDERED** to comply with all of the terms of the Consent Agreement, effective immediately upon receipt by Respondents of this Consent Agreement and Final Order.

November 15 2005
DATE

Alfred C. Smith
Alfred C. Smith
Regional Judicial Officer

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF)

Sandy Crossing Enterprises, Inc.)
and Mani Grewal,)
Farson, Wyoming)

Respondents)

Proceedings under section 1414(g))
of the Safe Drinking Water Act,)
42 U.S.C. § 300g-3(g))

) Docket No. SDWA-08-2005-0050

**CONSENT
AGREEMENT**

Complainant United States Environmental Protection Agency ("EPA"), Region 8, and Respondents Sandy Crossing Enterprises, Inc. and Mani Grewal, hereby consent and agree as follows:

1. On August 31, 2005, EPA issued an Administrative Complaint ("Complaint") alleging that the Respondents had violated certain provisions of the National Primary Drinking Water Regulations (NPDWRs), 40 C.F.R. part 141, promulgated under the authority of the Safe Drinking Clean Water Act (the "Act" or "SDWA"), 42 U.S.C. § 300f *et seq.* The Complaint proposed an administrative civil penalty for these alleged violations, under section 1414(g) of the SDWA, 42 U.S.C. § 300g-3(g).

2. Pursuant to 40 C.F.R. § 22.18(b)(2), the Respondents admit the jurisdictional and factual allegations of the Complaint.

3. The Respondents waive their right to a hearing before any tribunal, to contest any issue of law or fact set forth in the Complaint. They also waive their right to appeal any final order resulting from this Consent Agreement ("Agreement").

4. This Agreement, upon incorporation into a final order, will apply to and be binding upon EPA and upon the Respondents and the Respondents' successors and assigns. This Agreement contains all terms of the settlement agreed to by the parties.

5. The Respondents agree to pay a civil penalty in the amount of \$1,000.00 (with an additional \$1.67 as interest) in accordance with the following payment schedule:

<u>INSTALLMENT NUMBER</u>	<u>AMOUNT</u>	<u>DUE DATE</u>
First Installment	\$333.89	Nov. 30, 2005
Second Installment	\$333.89	Dec. 31, 2005
Third Installment	\$333.89	Jan. 31, 2006

6. Each payment shall be made by a cashier's or certified check for the full amount due, stating "In the Matter of Sandy Crossing Enterprises, Inc. and Mani Grewal, Docket No. SDWA-08-2005-0050," payable to "Treasurer, United States of America," and sent to:

Mellon Bank
P.O. Box 360859
Pittsburgh, PA 15251-6859

Any payment made via overnight delivery shall be sent to:

U.S. EPA, 360859
Mellon Bank
Client Service Center, Room 154-0670
500 Ross Street
Pittsburgh, PA 15262-0001

A copy of each check and any enclosed documentation shall be sent simultaneously to:

Kathelene Brainich (8ENF-W)
Environmental Protection Specialist
U.S. EPA Region 8
999 18th Street, Suite 300
Denver, CO 80202-2466

and

Tina Artemis (8RC)
Regional Hearing Clerk
U.S. EPA Region 8
999 18th Street, Suite 300
Denver, CO 80202-2466

7. A payment is considered late if it is not received by Mellon Bank on the stated due date. Payments must be received by 11:00 a.m. EST to be considered as received that day.

8. If any payment is not received by the specified due date, an additional amount of interest shall accrue from the payment due date at a rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717. Interest will continue to accrue until the payment is received in full.

9. In addition to the accrual of interest specified in Paragraph 8 of this Agreement, a late payment charge of fifteen dollars (\$15.00) shall be imposed after the first 30 days that any installment, or any portion thereof, is overdue, with an additional charge of ten dollars (\$10.00) imposed for each subsequent 30-day period until the installment is paid in full. In addition, a six percent (6%) per annum penalty shall be assessed on any unpaid principal amount if any penalty installment payment is not received within 90 days of the due date. Payments are first applied to accrued interest, penalty and/or handling charge; the balance is then applied to the outstanding principal amount.

10. The Respondents agree that the penalty shall never be claimed as a federal or other tax deduction or credit.

11. Nothing in this Agreement shall relieve the Respondents of the duty to comply with the SDWA and its implementing regulations.

12. Any failure by the Respondents to comply with any of the terms of this Agreement shall constitute a breach of this Agreement and may result in referral of the matter to the United States Department of Justice for enforcement of this Agreement and for such other relief as may be appropriate.

13. Nothing in this Agreement shall be construed as a waiver by EPA or any other federal entity of its authority to seek costs or any appropriate penalty associated with any collection action instituted as a result of any failure of the Respondents to comply with this Agreement.

14. The parties agree to submit this Agreement to the Regional Judicial Officer for EPA Region 8, with a request that it be incorporated into a final consent order.

15. Each party shall bear its own costs and attorneys' fees in this matter.

16. This Agreement, upon incorporation into a final consent order by the Regional Judicial Officer and full satisfaction by the parties, shall be a complete and full civil settlement of the penalties sought in the Complaint.

17. Each individual signing this Agreement is authorized to bind the party for which he or she has signed.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, REGION 8,
Complainant

Date: 1 November 2005

By: David J. Janik
Michael T. Risner, Director
David J. Janik
Supervisory Enforcement Attorney
Legal Enforcement Program

Date: 1 November 2005

By: Diane Sipe
Diane Sipe, Director
Water Technical Enforcement Program
Office of Enforcement, Compliance,
and Environmental Justice

U.S. EPA, Region 8
999 18th St., Suite 300
Denver, CO 80202-2466

SANDY CROSSING ENTERPRISES, INC.,
Respondent

Date: 11.12.2005

By: Mani Grewal
Mani Grewal, Director

MANI GREWAL,
Respondent

Date: 11.12.2005

By: Mani Grewal
Mani Grewal

RECEIVED

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Office of Legal Enforcement Program
Region 8 EPA

CERTIFICATE OF SERVICE

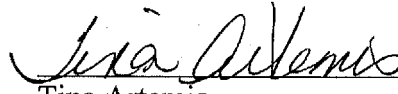
The undersigned certifies that the original of the attached **CONSENT AGREEMENT/FINAL ORDER** in the matter of **SANDY CROSSING ENTERPRISES, INC., DOCKET NO.: SDWA-08-2005-0050** was filed with the Regional Hearing Clerk on November 15, 2005.

Further, the undersigned certifies that a true and correct copy of the document was delivered to Margaret "Peggy" Livingston, Enforcement Attorney, U.S. EPA - Region 8, 999 18th Street - Suite 300, CO 80202-2466. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt on November 15, 2005, to:

Mani Grewal, Director
Sandy Crossing Enterprises, Inc.
P. O. Box 239
Farson, WY 82932

Lippa Pannu, Registered Agent
Sandy Crossing Enterprises, Inc.
#4 Highway 28
Farson, WY 82932

November 15, 2005



Tina Artemis
Regional Hearing Clerk